

Beth E. Borowsky, et al.
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REMARKS

On page 2 of the Office communication, the Examiner acknowledged that the captioned application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. 1.821(a)(1) and (a)(2). However, the Examiner alleged that this application fails to comply with the requirements of 37 C.F.R. 1.821 through 1.825. A copy of the Notice to Comply is transmitted herewith.

The Notice to Comply states that a copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. § 1.821(e). The Notice further states that applicant must provide:

1. A computer readable form (CRF) copy of the "Sequence Listing";
2. A paper copy of the "Sequence Listing" and an amendment directing its entry into the specification; and
3. A statement that the content of the paper and computer readable copies are the same.

In response, applicant respectively maintains that the subject application complies with the requirements of 37 C.F.R. 1.821 through 1.825.

37 C.F.R. § 1.821(e) states that if the computer readable form of a new application is identical to the computer readable form of another application reference may be made to the other application and computer readable form in lieu of filing a duplicate computer readable form in the new application.

Page 5 of the November 28, 2001 Preliminary Amendment and Information Disclosure Statement that was filed in connection with the captioned application recites:

In accordance with 37 C.F.R. § 1.821(e), please use the computer readable form filed in PCT International Application No. PCT/US00/14654 on May 26, 2000 as the computer readable form for the instant application.

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A copy of the November 28, 2001 Preliminary Amendment and Information Disclosure Statement is transmitted herewith.

A paper copy of the Sequence Listing (18 pages) and a copy of the May 26, 2000 Statement in Accordance with 37 C.F.R. § 1.821(f) were filed with the subject application on November 28, 2001 as stated on page 4 of the Preliminary Amendment. A copy of this Statement is also transmitted herewith.

Applicant respectively maintains that the requirements of 37 C.F.R. 1.821 through 1.825a were addressed and satisfied in the Preliminary Amendment filed November 28, 2001. Accordingly, Applicants maintain that the claims pending in this application are in condition for allowance. Allowance is respectfully requested.

If a telephone conference would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone the number provided below.

No fee is deemed necessary in connection with the filing of this Communication. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 50-3201.

Respectfully submitted,



Stephen G. Kalinchak, Esq.
Registration No. 38,747
Synaptic Pharmaceutical Corporation
215 College Road
Paramus, New Jersey 07652
Tel: (201) 261-1331
Fax: (201) 986-9106